

1 Todd L. Bice, Esq., Bar No. 4534
2 **Pisanelli Bice PLLC**
3 400 South 7th Street, Suite 300
4 Las Vegas, Nevada 89101
5 Telephone: (702) 214-2100
Facsimile: (702) 214-2101
tlb@pisanellibice.com

6 Tina B. Solis
7 Seth A. Horvath
Nixon Peabody LLP
8 70 W. Madison Street, Suite 3500
Chicago, Illinois 60602
Telephone: (312) 977-4400
Facsimile: (844) 560-8137
tbsolis@nixonpeabody.com
sahorvath@nixonpeabody.com
(admitted pro hac vice)

12 *Attorneys for Plaintiffs Newmark Group Inc.,
13 G&E Acquisition Company LLC, and BGC
14 RealEstate of Nevada LLC*

Robert S. Larsen
Wing Y. Wong
Gordon & Rees Scully Mansukhani LLP
300 S. 4th St., Suite 1550
Las Vegas, Nevada 89101
Tel. (702) 577-9301
Fax. (702) 255-2858
rlarsen@grsm.com
wwong@grsm.com

Nathaniel Kritzer
Steptoe & Johnson LLP
1114 Avenue of the Americas
New York, NY 10036
Tel. (212) 378-7535
Fax (212) 506-3950
nkritzer@steptoe.com
(admitted pro hac vice)

*Attorneys for Defendants Avison Young
(Canada) Inc., Avison Young (USA) Inc.,
Avison Young–Nevada LLC, Mark Rose,
Joseph Kupiec, The Nevada Commercial
Group LLC, and John Pinjuv*

16 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

17 NEWMARK GROUP INC., G&E
18 ACQUISITION COMPANY LLC, and
19 BGC REAL ESTATE OF NEVADA LLC,

20 Plaintiffs,

21 vs.

22 AVISON YOUNG (CANADA) INC.,
AVISON YOUNG (USA) INC., AVISON
23 YOUNG–NEVADA LLC, MARK ROSE,
THE NEVADA COMMERCIAL GROUP,
JOHN PINJUV, and JOSEPH KUPIEC; DOES
24 1 through 5; and ROE BUSINESS ENTITIES
6 through 10,

25 Defendants.

26 Case No. 2:15-cv-00531-RFB-EJY

27 **STIPULATION AND ORDER
REGARDING HEARING ON
DEFENDANTS' MOTION FOR
SANCTIONS PURSUANT TO FED. R.
CIV. P. 30(d)(2) AND 37(d) (ECF No.
502) AND PLAINTIFFS' MOTION
FOR SANCTIONS UNDER FEDERAL
RULES OF CIVIL PROCEDURE
30(d)(2) AND 37(d) (ECF No. 509)**

In accordance with the Court’s January 10, 2022, order (ECF No. 555), Plaintiffs Newmark Group Inc., G&E Acquisition Company LLC, and BGC Real Estate of Nevada (together, “Plaintiffs”), through their counsel of record, and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young–Nevada LLC, Mark Rose, Joseph Kupiec, John Pinjuv, and The Nevada Commercial Group (together, “Defendants”), through their counsel of record, hereby stipulate to, and request the entry of, an order setting a hearing date of February 16, 2022, on *Defendants’ Motion for Sanctions Pursuant to Fed. R. Civ. P. 30(d)(2) and 37(d)* (ECF No. 502) (“Defendants’ Motion”) and *Plaintiffs’ Motion for Sanctions Under Federal Rules of Civil Procedure 30(d)(2) and 37(d)* (ECF No. 509) (“Plaintiffs’ Motion”), as set forth below.

STIPULATION

1. On September 29, 2021, Defendants' filed Defendants' Motion, which has been fully briefed.

2. On October 6, 2021, Plaintiffs filed Plaintiffs' Motion, which has been fully briefed.

3. At the January 10, 2022, hearing in this matter, the Court provided three potential hearing dates for Defendants' Motion and Plaintiffs' Motion: February 11, 16, and 18, 2022.

4. Having conferred and agreed, the parties respectfully request that the Court schedule the hearing on Defendants' Motion and Plaintiffs' Motion for February 16, 2022.

1 Dated: January 13, 2022

2 **Respectfully submitted by:**

3 NIXON PEABODY LLP

4 By: /s/ Tina B. Solis

5 Todd L. Bice, Esq., Bar No. 4534

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8 Las Vegas, Nevada 89101

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14 Facsimile: (844) 560-8137

tbsolis@nixonpeabody.com

sahorvath@nixonpeabody.com

15 (admitted pro hac vice)

16 *Attorneys for Plaintiffs Newmark Group Inc.,
G&E Acquisition Company LLC, and BGC
RealEstate of Nevada LLC*

STEPTOE & JOHNSON LLP

By: /s/ Nathaniel J. Kritzer

Robert S. Larsen

Wing Y. Wong

Gordon & Rees Scully Mansukhani LLP

300 S. 4th St., Suite 1550

Las Vegas, Nevada 89101

Tel. (702) 577-9301

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Steptoe & Johnson LLP

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(admitted pro hac vice)

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ORDER

Having reviewed the foregoing stipulation and found it to be supported by good cause, IT IS
HEREBY ORDERED that the hearing on (1) Defendants' Motion for Sanctions Pursuant to
Fed. R. Civ. P. 30(d)(2) and 37(d) (ECF No. 502) and (2) Plaintiffs' Motion for Sanctions Under
Federal Rules of Civil Procedure 30(d)(2) and 37(d) (ECF No. 509) shall occur on **February 16,**
2022, at 10:30am Pacific Daylight Time via zoom conference. The parties shall contact
Elvia Garcia, Courtroom Deputy for the undersigned Magistrate Judge, no later than **noon,**
Pacific Daylight Time, on Friday, February 11, 2022 at Elvia_Garcia@nvd.uscourts.gov to
provide email addresses at which parties shall receive Zoom invites.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that persons granted with remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary to the Court.

Leyna J. Zouchah

Magistrate Judge

DATED: January 13, 2022

CERTIFICATE OF SERVICE

I, the undersigned, certify that on January 13, 2022, I caused a true and correct copy of the foregoing **Stipulation and Order Regarding Defendants' Motion for Sanctions Pursuant to Fed. R. Civ. P. 30(d)(2) and 37(d) (ECF No. 502)** and **Plaintiffs' Motion for Sanctions Under Federal Rules of Civil Procedure 30(d)(2) and 37(d) (ECF No. 509)** to be filed electronically with the clerk of court using the court's CM/ECF system, which will send a notification of electronic filing to the counsel of record who have entered an appearance in this case, including:

Robert S. Larsen
Wing Y. Wong
Gordon & Rees Scully Mansukhani LLP
300 S. 4th St., Suite 1550
Las Vegas, Nevada 89101
Tel. (702) 577-9301
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Steptoe & Johnson LLP
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New York, NY 10036
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Attorneys for Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young–Nevada LLC, Mark Rose, Joseph Kupiec, The Nevada Commercial Group LLC, and John Pinjuv

/s/ Tina B. Solis